

Kim Collins
Complaints Examination and
Legal Administration
Federal Election Commission

----- Forwarded by Kim Collins/FEC/US on 09/21/2012 10:18 AM -----

From: "Ray Buchta"
To: <kcollins@fec.gov>,
Cc: <generalmanager@domainsbyproxy.com>
Data: 09/20/2012 05:35 PM
Subject: RE: UPDATED: Possible Legal Issue Regarding 618777 :: WIPEUPTHEMESS.COM

Ms. Collins-

I just received your message regarding MUR 6637. WipeUpTheMess.com is my personal website. It was not authorized by or paid for by any candidate or committee. I read the complaint and was under the impression that "uncompensated individuals may engage in Internet activities for the purpose of influencing a federal election without restriction". Full quote from the FEC.gov website below:

"An uncompensated individual or group of individuals may engage in Internet activities for the purpose of influencing a federal election without restriction. The activity would not result in a "contribution" or an "expenditure" under the Act, and would not trigger any registration or reporting requirements with the FEC. This exemption applies to individuals acting with or without the knowledge or consent of a campaign or a political party committee. 11 CFR 100.94 and 100.155. Possible Internet activities include, but are not limited to sending or forwarding electronic mail, providing a hyperlink to a web site, creating, maintaining or hosting a web site and paying a nominal fee for the use of a web site. 11 CFR 100.94(b). Please note that these exemptions apply regardless of whether the individual owns the computer he/she is using."
(emphasis added)

The complaint claims my website is a "political ad" and it "does not identifying the who is responsible for this advertisement". In addition to having poor grammar, Mr. Izzo seems to not understand the difference between a website and an advertisement. In its regulations, the FEC clearly makes a distinction between internet activities (such as websites) and traditional advertising (such as TV, radio and print ads). No money other than nominal fees was spent on this website. I did not spend any money promoting the website (which I understand would have to be reported as an independent expenditure).

WipeUpTheMess.com is a personal website and should enjoy the same 1st amendment rights as the thousands of other anonymous personal websites and blogs on the Internet. Since there are no "registration or reporting requirements with the FEC" there is no need to identify who is responsible.

I believe this case does not warrant the use of Commission resources and respectfully ask that it be dismissed. I'd be happy to provide any other information your office may require. My contact information is below.

13044342576

Thank you,
-Ray

Ray Buchta

Wilmington, DE 19803

-----Original Message-----

From: generalmanager@domainsbyproxy.com

[mailto:generalmanager@domainsbyproxy.com]

Sent: Thursday, September 20, 2012 3:47 PM

To:

Subject: UPDATED: Possible Legal Issue Regarding 618777 :: WIPEUPTHEMESS.COM

Dear Customer,

Since we have received notice that there is a possible legal issue regarding the domain name WIPEUPTHEMESS.COM, you will need to contact the complainant no later than close of business on September 25, 2012, and provide the required information listed below to remove Domains By Proxy from this issue.

Required Information:

Full Name

Company Name

Mailing Address

Phone Number

Email Address

In order to prove you have attempted contact, we require that you or your representative CC: or BCC: generalmanager@domainsbyproxy.com in your initial correspondence with the complainant. Failure to comply will result in the cancellation of the privacy service.

Complainant information:

Kim Collins

Federal Election Commission

kcollins@fec.gov

Very truly yours,

D Preston

Office of the General Manager

Domains By Proxy, LLC



WIPEUPTHEMESS.COM.PDF

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